

EXHIBIT D

Honorable Judge Engelmayer, District Judge, Southern District of New York
Mr. Damian, United States Attorney for the Southern District of New York
Mr. Jacob H. Gutwillig, Assistant United States Attorney

April 24, 2024

RE: Unfulfilled Government Commitments and
Alarming, Emergency Concern for Ari Teman's Health

Dear Sirs:

On Monday night, our son, Ari Teman fell again, lost consciousness for some minutes, hit his head on the floor, and was left for about two hours lying on the floor until his cellmate could help him back onto the bed. There was no medical staff on duty at night. Government commitments asserting that FCI stands ready with on-premises medical care, and that it would address his health and religious observance needs with adequate Passover non-dairy and non-gluten diet have been -- for reasons unknown to us -- empty and unfulfilled promises.

The Government asserted to the Court [Docket 443] that "BOP continues to provide Teman with necessary diagnostic and medical care". However, the absence of medical staff at night has endangered Ari and other inmates, and it was not an isolated situation. Ms. Roach (CO) confirmed to Ari that there is no medical staff at night, and Ari has experienced himself that there was no medical staff on three occasions (2/15, 2/25, and 4/22).

On Tuesday, Ari was called to the Lieutenant's office where he was offered transport to a hospital, but only in "black-box" chains that cause added injury to Ari's spine (acknowledged previously to Ari by FCI Doctor Alarcon and documented by Ari in his messages after his experience in those chains when transported on February 28th). The painful use of black-box chains seems excessive in a case like Ari's, given he has a zero-risk and non-flight-risk rating and is in pain. Ari declined the black-box transport on Tuesday to avoid the increased spine injury and pain. He has continued to experience pain, while endeavoring to avoid exacerbating it. A second mattress, which had previously been provided to him and which lessened somewhat the pain when he rested, was removed weeks ago and has not been restored, despite numerous requests and apparent availability.

The Government asserted to the Court [Docket 436] that "the BOP is making efforts to meet Teman's religious needs, and in particular over Passover", and noted that the BOP medical records included Ari's report of lactose and gluten intolerance. The Court asked the Government [Docket 440] "to revisit with the BOP the adequacy of the food offerings available to Teman given his dietary limitations, this time not assuming that Teman has personally consumed or can personally consume non-gluten-free food." Nothing had been done to accommodate Ari's religious and dietary needs. The offer of Ari's parents and Rabbi Florans to provide non-gluten Passover matzah for Ari was denied. Meals provided to Ari since Monday morning, when Passover diet restrictions began, have often been dairy and laden with gluten, without non-dairy or non-gluten substitutes. Ari has been repeatedly provided meals that are dairy and gluten and has been denied fulfilling Passover observance without risking repeated steroid injections for gluten reactions (which he needed at FCI Miami).

Allowing FCI Miami to be continuing without medical staff at nights, ignoring Ari's dietary needs and denying him medical care without introducing the added injury and pain of extreme

transport black-boxing does nothing to address the order of the Court to address the diet and medical issues.

More promises and delays leave Ari at great health risk, pain, and deprivation of diet and religious needs. We implore the Government to release Ari, today, to home confinement for medical care without aggravating spinal injury, and where he can access adequate Passover diet that is non-gluten and non-dairy. We respectfully ask the Court to grant that relief today, avoiding further delays.

In consideration of his immediate release to home confinement, we believe that Ari would be able to provide assistance into relevant and ongoing investigations by the Government.

Thank you,

The image shows two handwritten signatures in black ink. The top signature is 'David Teman' and the bottom signature is 'Suzan Teman'. Both signatures are written in a cursive, flowing style.

Suzan and David Teman

[Note: Even for religious observers of Passover, such as Ari and ourselves, the urgency of the serious medical risk to Ari overrides any religious prohibitions involved in his release and medical care.]